

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: LRP
FILE NUMBER: 200600283

REGULATORY PROJECT MANAGER: Mullen **Date:** 23 Feb 2006
PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Y **Date:** 30 Jan 06
 At the project site (Y/N) Y **Date:** 22 Feb 06

PROJECT LOCATION INFORMATION:

State: PA
 County: Allegheny
 Center coordinates of site by latitude & longitudinal coordinates:
 Approximate size of site/property (including uplands & in acres): 3.14
 Name of waterway or watershed: UNT to Robinson Run

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?		X			
Is or would be used as habitat by other migratory birds that cross state lines?		X			
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary __ Or Approved X

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite): Wetlands are in a depression and had no visible surface water connections to waters of the United States. Wetlands are approximately 150 yards from the unnamed tributary.

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DISTRICT OFFICE: LRP
FILE NUMBER: 200502273

REGULATORY PROJECT MANAGER: Haberman **Date:** November 5, 2005

PROJECT REVIEW/DETERMINATION
COMPLETED: In the office N (Y/N) **Date:**
 At project site Y **Date:** 1/13/06

PROJECT LOCATION INFORMATION:

State: PA
County: Cambria
Center coordinates of site by latitude & longitudinal coordinates:
Approximate size of site/property (including uplands & in acres):10
Name of waterway or watershed: Conemaugh River

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream	x								
Dry Wash									
Mudflat									
Sandflat									
Wetlands	x								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				X	
Is or would be used as habitat by other migratory birds that cross state lines?				X	
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		x			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary ___ Or Approved x

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite): 0.091 ac of wetlands located on the site were Isolated wetlands had no visible surface water connections to waters of the United States.